

Application No.: 10/757,388

REMARKS

Claims 1-3, 5, 19 and 20 stand rejected under 35 U.S.C. § 102 as being anticipated by Kweon et al.. Claims 1 and 19 are independent. This rejection is respectfully traversed for the following reasons.

Claim 1 recites in pertinent part, "a lead having a portion which protrudes from the groove portion *laterally onto the surface of the lead frame body*, the lead being made of material different from material of the lead frame body" (emphasis added). In contrast, as shown in Figure 12, the alleged lead 24 of Kweon et al. merely protrudes vertically from the alleged groove portion without any lateral portion.

Claim 19 recites in pertinent part, "a *multi-layer* lead connected to the semiconductor chip and having a first conductor layer; and a piece of sealing resin, wherein a portion of the reverse face of the lead protrudes from a principal plane of the piece of sealing resin, *the first conductor layer covering an entire surface of said portion...*" (emphasis added). In contrast, as shown in the cover Figure, the alleged first conductor layer 150 of Kweon et al. does not cover the side surfaces of the protruding portion of the alleged lead 150,24,40.

As anticipation under 35 U.S.C. § 102 requires that each and every element of the claim be disclosed, either expressly or inherently (noting that "inherency may not be established by probabilities or possibilities", *Scaltech Inc. v. Retec/Tetra*, 178 F.3d 1378 (Fed. Cir. 1999)), in a single prior art reference, *Akzo N.V. v. U.S. Int'l Trade Commission*, 808 F.2d 1471 (Fed. Cir. 1986), based on the forgoing, it is submitted that Kweon et al. does not anticipate the independent claims, nor any claim dependent thereon.

Under Federal Circuit guidelines, a dependent claim is nonobvious if the independent claim upon which it depends is allowable because all the limitations of the independent claim are

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contained in the dependent claims, *Hartness International Inc. v. Simplimatic Engineering Co.*, 819 F.2d at 1100, 1108 (Fed. Cir. 1987). Accordingly, as the independent claims are patentable for the reasons set forth above, it is respectfully submitted that all claims dependent thereon are also patentable. In addition, it is respectfully submitted that the dependent claims are patentable based on their own merits by adding novel and non-obvious features to the combination. In this regard, it is respectfully requested that the withdrawn claims which are dependent, directly or indirectly, on claims 1 and 19 be rejoined as being dependent on an allowable claim.

Based on the foregoing, it is respectfully submitted that all pending claims are patentable over the cited prior art. Accordingly, it is respectfully requested that the rejection under 35 U.S.C. § 102 be withdrawn.

CONCLUSION

Having fully and completely responded to the Office Action, Applicants submit that all of the claims are now in condition for allowance, an indication of which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, the Examiner is requested to call Applicants' attorney at the telephone number shown below. To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,
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